

**From:** Peter Brumblay  
**To:** Microsoft ATR  
**Date:** 1/23/02 8:37pm  
**Subject:** Microsoft Settlement

To whomever it may concern,

A recent post on slashdot.org alerted me to the fact that I have a small ability to complain about the Microsoft Settlement. I have been an employed software developer for the past two and a half years, and have been an avid computer user for the past sixteen. Throughout this time, I have had first-hand experience with many of Microsoft's software products, including their operating systems.

A very interesting comparison has been made by Scott Rosenberg in an article at Salon.com (text here:<http://www.salon.com/tech/col/rose/2002/01/16/competition/index.html>) to the PC CPU market. In short, AMD's relatively recent entrance into the higher-end PC market has fueled a fiery competition between Intel and AMD. This competition has allowed consumers to purchase excellent products at much lower prices than comparable products in the mid-90s. I am particularly pleased with this competition, as I upgrade my computer about once every two years. The article then describes the horrible lack of competition in the operating system market, and how Microsoft's partially disclosed APIs prevent other operating systems from being competitive. If the majority of quality commercial software only runs on Microsoft operating systems, then how are other operating systems supposed to compete?

The secret to the competitiveness in the chip market is the fully disclosed machine language that the chips understand. AMD chips and Intel chips can read the same computer code at the hardware level and are therefor able to run the same software. If Microsoft were required to fully disclose the Win32 API, and the APIs (and file formats) of the products that it uses to retain its monopolistic leverage in the market (Microsoft Office, for example), other operating systems (Linux, FreeBSD, MacOSX) would be able to compete much more readily, because they would be able to run the same applications that the Microsoft applications can.

As outlined in Dan Kegel's essay, the provisions in the settlement do not require Microsoft to fully disclose their APIs and offer them many loopholes to remain anti-competitive. (Essay's text here: <http://www.kegel.com/remedy/remedy2.html>), thus dooming Linux, FreeBSD, et. al. developers to the laborious task of catch-up through reverse-engineering.

I sincerely hope that a change can be made to this Settlement to give me a choice in the future as to which operating system I run, and which

operating system I develop for. The current Settlement is grossly inadequate, and currently I foresee a future where I will be forced to write code for Microsoft products, lest I move to a different profession.

I want a choice.

Sincerely,

Peter Brumblay  
2718 Moorhead Ave. #207  
Boulder, CO 80305